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EN020022_20025080

Date

3 November 2020

Email

tim.guymer@hants.gov.uk

Dear Sir/Madam,

RE: Deadline 3 submission by Hampshire County Council in respect of the application by AQUIND Limited for an order granting Development Consent for the AQUIND Interconnector Project

Further to its previous submissions, Hampshire County Council are pleased to submit further observations for consideration at deadline 3.

Highways

Appendix One to this report includes detailed highway comments of the Highway Authority on matters raised at deadline 2 by the applicant in relation to the LIR and a number of documents also submitted by the applicant at deadlines 1 and 2 relating to the highway.

Public rights of way network

The Highway Authority (with specific regard to its authority over the public rights of way network) has also reviewed the Environmental Statement Addendum – Appendix 14 Note on PRow, Long Distance Walking Paths and Cycle Route Diversions submitted by the applicant at deadline 1

The Highway Authority is of the opinion that the current Temporary Traffic Regulation Order (TTRO) process is the best means of facilitating closures of the rights of way network for the Aquind scheme. There is an established system which users of public rights of way are familiar with checking and using; a working relationship is established with local advertising organisations; there is staff resource to deal with enquiries from the public and there is a clear and direct link and accountability between the Highway Authority and the public rights of way network.

*Director of Economy, Transport and Environment
Stuart Jarvis BSc DipTP FCIHT MRTPI*

If Aquind insist upon moving outside this system, the Highway Authority would want agreement on a process for notifying the public, a dedicated resource established to deal with public enquiries and contact details that the Highway Authority can pass on and an agreed process whereby the Highway Authority can confirm and agree satisfactory reinstatement of the public right of way.

The Highway Authority also query some of the assumptions Aquind have made in assessing the impact on public rights of way. As an example Appendix 14; section 1.2.3 refer to 'PROW11', advising that no action is required as the 'PROW stops as it reaches Maurepas Way (i.e. the boundary of the order limit) no diversion is needed' However, if no onward route is provided around the order limits, then the project would result in a public right of way that has no through route and the entire right of way would need to be closed. The public rights of way cannot be considered in isolation as they interconnect with the rest of the highway network and other access routes, which allow people to navigate across the county.

Other matters

An updated Statement of Common Ground with the applicant has not been provided at this deadline. However, the County Council can offer the following updates on specific matters:

Drainage and Flood Risk

In relation to potential flood risk, the applicant and officers from the County Council (in its role as Lead Local Flood Authority (LLFA)) met on 27 October 2020 to discuss outstanding concerns on potential flood risk with specific regard to items listed in the Local Impact Report in relation to surface water. The meeting focussed on the additional information submitted at deadline 1 within the Onshore Outline Construction Environmental Management Plan in relation to the drainage proposals at the converter station (Appendices 6 & 7). The LLFA considers that the information provided to date has not been sufficiently detailed to demonstrate that the drainage proposals work. This is particularly due to the planned, but yet to be undertaken, infiltration testing (to demonstrate that a discharge rate of 3.4 litres per second is realistic when there are no immediate watercourses to discharge into at this location).

Following the meeting with the applicant, it is understood that the infiltration testing will take place during the week commencing 16 November. Initial results and calculations will be sent to the LLFA for comment by 26 November with the intention being to enable the LLFA to provide an initial expression of confidence to the ExA by Deadline 5.

Compulsory acquisition rights

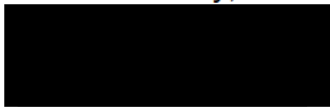
The Highway Subsoil Acquisition Position Statements was submitted by Aquind at deadline 2 and Hampshire County Council are corresponding with the applicant on this matter. The Highway Authority are currently reviewing this and the supporting documentation and seeking legal clarity on the issues.

In the meantime, the Highway Authority still require a plan showing the boundary of the application with the highway boundary overlaid. Alternatively, a GIS file of the application boundary should be provided to enable a comparison of the two elements.

Potential future rights as a telecommunications provider

It is apparent that the application also provides telecommunication infrastructure which has a further commercial benefit beyond the initially proposed scope of the scheme. It is unclear, if this should be granted approval within the application, how the powers within the DCO would relate to future connections to this infrastructure and whether the powers to disapply statutory and legal processes would apply to these elements of the work. Clarity is sought on this matter.

Yours faithfully,



Tim Guymer
Spatial Planning Lead Officer

Appendix One - Highway Authority Response to Deadline 3

Comments on Aquind's Response to Hampshire County Council's Local Impact Report (LIR)

The Highway Authority have reviewed the responses from Aquind on Hampshire County Council's LIR as published after deadline 2. The comments that follow are the Highway Authority's response on broad matters and those in relation to the protective provisions.

More detailed comments on the following documents are also provided:

- Construction Environmental Management Plan
- Environmental Statement – Appendix 22.1A Framework Traffic Management Strategy
- Updated Framework Traffic Management Strategy
- Updated Framework Construction Traffic Management Plans
- Access and Rights of Way Plan and Explanatory Document
- Supplementary Transport Assessment

Permit Scheme

The applicant has not provided details on why they consider the permit scheme would be unacceptable other than the desire to achieve one consent for all areas within the DCO. It is noted however that this is not proposed to be the case for all areas as there are listed several permissions which will be sought post approval, although none other than abnormal loads which are related to Highways. Whilst the Highway Authority appreciate the purpose of the DCO process, and are content to agree suitable protective provisions and requirements within the DCO for other elements, it has yet to reach agreement with the applicant that the dismissal of the permit scheme is in the public interest. The processes involved in the permit scheme are used by all works promoters operating in England and similar schemes operate across the country. They are therefore a well understood and utilised way for coordinating and managing works that all utility companies understand.

The Highway Authority is not aware of any previous schemes where the permit scheme has been disapplied and the applicant has not provided any evidence of similar recent schemes where the Permit scheme has been disapplied and worked effectively for the benefit of all.

The Highway Authority have provided detailed comments on the draft protective provisions further within this response. It is key however to note that what is being proposed by the applicant is not considered to be agile enough and does not consider the needs of the travelling public. Neither does it allow the County Council to execute its Network Management Duty, as per the Traffic Management Act 2004, to facilitate the free flow of traffic and

minimise traffic disruption. There are many areas where the permit scheme would be of benefit to the applicant including:

- Enabling the works to be more agile, allowing variations as required to working hours for example (in consultation with the relevant environmental health teams if necessary) to facilitate the timely delivery of the development;
- To manage traffic impacts identified through the Transport Assessment work by having ease of control over the traffic management arrangements and locations;
- Ensuring that appropriate measures are taken to protect the interests of the residents and highway users; and
- Allowing a smooth and efficient approval process for road space bookings, diversion plans and works coordination.

Protective Provisions

It is understood that the process for submitting and approving the precise location of infrastructure within the highway, cable depth and design details of all infrastructure to be installed in highway land is to be set out within the protective provisions under Part 5 of Schedule 13. These have been reviewed at a technical level in relation to the cable laying and the following comments are made.

In general, the process provided favours the applicant and only broadly replicates the noticing process, but not the permit scheme process. The Authority will be expected to approve large areas of work in one submission and approval will need to be given for the legal elements, road space, traffic management and engineering aspects as a combined approval. The system proposed by the applicant is contrary to the Department for Transport's 'Statutory Guidance for Highway Authority Permit Schemes' which notes the following on page 5:

“The Department for Transport considers that well-designed, outcome-focused, and reasonably implemented permit schemes provide the best method of managing a highway authority’s road network and the works that take place in or on the public highway. The main aim of a permit scheme should be to minimise disruption to the authority’s network.

Permit schemes affect everyone who uses roads in that area, but they particularly affect those who are responsible for installing and maintaining highways’ and utilities’ infrastructure, and their contractors. It is considered that better co-ordination of all works, and closer monitoring can be used to drive behavioural change and to ensure that disruption to local communities and road users is reduced.”

Hampshire County Council’s permit scheme reflects the above; however, the applicant is yet to set out a positive case as to why the permit scheme should be disappplied.

It would appear that no conditions (except where traffic congestion could cause a danger) can be set on the approval of road space bookings, and there is no process for what happens if the Highway Authority doesn't approve the submitted proposals. The Highway Authority is also bearing a liability risk by 'approving' matters such as engineering processes and traffic management. Under the existing permit scheme process the works promoter retains all liability for the traffic management and engineering aspects. The permit merely approves the dates for the works and sets conditions relating to minimising traffic disruption.

It must be noted that the whole process is bespoke and separate from the existing road space booking processes and technical approval processed used by all other works promoters across the County and the City of Portsmouth and indeed the Country. Accordingly, such a process will require additional resources from the Highway Authority to manage and undertake. The Highway Authority and the public should not be subject to additional costs in resources when existing, cost effective processes are already available.

If it is determined by the Examining Authority that sufficient justification has been provided to support the Highway Authority's requirements to apply the permit scheme to the construction, maintenance and any remedial works phases then the following wording that protects the interests of the Highway Authority and the applicant is suggested;:

"The permit schemes apply to the construction and maintenance of the authorised development and will be used by the undertaker in connection with the exercise of any powers conferred by this Part.

For the purposes of this Order— (a) a permit may not be refused or granted subject to conditions which relate to the imposition of moratoria; and (b) a permit may not be granted subject to conditions where compliance with those conditions would constitute a breach of this Order or where the undertaker would be unable to comply with those conditions pursuant to the powers conferred by this Order.

References to moratoria in paragraph (above) mean restrictions imposed under section 58 (restrictions on works following substantial road works) or section 58A (restrictions on works following substantial street works) of the 1991 Act.

Without restricting the undertaker's recourse to any alternative appeal mechanism which may be available under the permit schemes or otherwise, the undertaker may appeal any decision to refuse to grant a permit or to grant a permit subject to conditions pursuant to the permit schemes in accordance with the mechanism set out in <insert reference> of this Order.."

Construction hours

The Highway Authority are concerned that the draft DCO lacks sufficient flexibility to enable the Highway Authority to effectively manage the highway network through the direction of appropriate working hours. This is covered in detail later in this submission and was a matter considered carefully by the Examining Authority for the Southampton to London Pipeline DCO. The wording secured for that DCO is set out below and it is suggested that said wording could be replicated within this dDCO.

“Construction works must only take place between 0800 and 1800 on weekdays (except Public and Bank Holidays) and Saturdays, except in the event of an emergency.

In the event of an emergency, notification of that emergency must be given to the relevant planning authority and the relevant highway authority as soon as reasonably practicable.

The following operations may where necessary continue or take place on an exceptional basis outside the working hours;

- *trenchless construction techniques which cannot be interrupted;*
- *filling, testing, dewatering and drying; works required to mitigate delays to the construction of the authorised development due to extreme weather conditions;*
- *and commissioning of the cabling works.*

Nothing above precludes—

(a) the receipt of oversize deliveries to site and the undertaking of non-intrusive activities;

(b) start-up and shut-down activities up to an hour either side of the core working hours and undertaken in compliance with the CEMP;

(c) and works on a traffic sensitive street where so directed by the relevant highway authority pursuant to a permit granted under the permit schemes and following consultation by the relevant highway authority with the relevant planning authority under the terms of such scheme.

In this Requirement “emergency” means a situation where, if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the undertaker would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action.”

Notwithstanding the above, and without prejudicing the in-principle position of the Highway Authority regarding the inappropriate proposed disapplication of the permit scheme, if it is determined by the Examining Authority that sufficient justification has been provided to support the applicant's approach, Hampshire County Council will require amendments to be made to the protective provisions. These points have been set out in Annex 1 of this response.

Planning Performance Agreement (PPA) Requirements

It is noted within the response that the applicant broadly accepts the need for Highway Authority officer time in relation to approvals being undertaken. It is also noted that they are looking to engage with the Highway Authority on the amounts requested and to discuss the detail. The Highway Authority welcome these further discussions on the PPA.

It is also noted that the applicant is questioning the need for additional fees to be sought should they not comply with the adopted permit scheme. These additional fees are considered necessary as it is the Highway Authority's position that, the protective provisions cannot be written to fully reflect compliance with the adopted scheme. Therefore, the project falls outside the Highway Authority's standard working practices and would resort in the need for additional officer time to review and comply with the requirements set out within the protective provisions. The permit scheme comes with a fee which covers the officer time required to provide the coordination and regulation over and above the Highway Authority's normal statutory duty to ensure good works management and protect the interests of the public road users.

Traffic Regulation Orders

It is proposed to disapply the Road Traffic Regulation Act 1984 and processes with regard to Traffic Regulation Orders. The DCO will need to fully replicate the legal requirements in relation to advertising, public consultation, timescales and notification to emergency services and the Highway Authority. Careful consideration will need to be given regarding the process secured within the DCO and how this fits with the wider approval process.

No clarity has been provided regarding the mechanism for securing the permanent TRO at the Broadway Lane site access to ban right turn movements from the junction. This should be provided by the applicant. The process may need to vary for permanent and temporary TROs.

Maintenance Provision

The applicant refers to NRSWA providing powers for future maintenance requirements. It is unclear in the technical documentation submitted with the application if this includes compliance with the permit scheme for future maintenance works outside the initial delivery of the works. Clarity is sought from the applicant. The Highway Authority already have significant concerns

regarding the disapplication of the permit scheme for the construction of the works, dismissal for future maintenance in perpetuity would be wholly unacceptable and would place a ongoing operational burden on the Highway Authority in relation to its Network Management Duties. The Highway Authority already have significant concerns regarding the disapplication of the permit scheme for the construction of the works, dismissal for future maintenance in perpetuity would be wholly unacceptable and would place a ongoing operational burden on the Highway Authority in relation to its Network Management Duties.

S278 Design Checking and Legal Agreements

Specific comments are provided on the additional technical information submitted further within this response. It is noted within Aquind's response to Hampshire County Council's Local Impact Report that they will engage and seek detailed approval for the access works through the Highway Authority's adopted Section 278 design checking process and that this shall be secured through the DCO. It is requested that this process is specifically referred to, and secured appropriately, through the DCO drafting.

It is also acknowledged that the applicant is producing a standard detail of the temporary construction access arrangements and the Highway Authority will comment further on receipt of these.

A matter which requires further consideration by the applicant and the Highway Authority is whether it is appropriate to disapply the requirement for approval to work on the highway which would otherwise be secured through the entering of a Section 278 legal agreement. It is understood that the applicant wishes to avoid this additional legal approval through appropriate requirements within the DCO drafting. However the Highway Authority is concerned regarding its liability in relation to these works, enforcement powers should the works not be completed to its satisfaction or any surety in relation to the works to enable to Highway Authority to carry out further works, if necessary, in the interest of highway safety.

Reinstatement Requirements

The Highway Authority have requested full lane reinstatement, and this has been responded to by the applicant as an unnecessary and unreasonable request. The applicant has stated that it will comply with all statutory requirements for the reinstatement and the relevant guarantee periods. This matter is not agreed.

The detail for the requirement for the reinstatement is understood to be set out within the protective provisions and this will need to be discussed further with the applicant. The Highway Authority's primary concern relates to the extent of the works which, by their nature, would ordinarily require planning permission and are therefore not considered to be standard statutory

undertakers' provisions. The extent of trenching and potential location for this within the wheel tracks could lead to a highway safety risk and an ongoing maintenance liability. Additional resurfacing requirements have therefore been requested to ensure that the interest of the Highway Authority, and the safety of the travelling public, is suitably protected.

Indemnity

An indemnity has been sought for diversion of the cables should it be required to facilitate, as yet unidentified, highway works in the future. The applicant has in previous discussions provided assurance that the cable will be laid in a manner which will negate the need for its future diversion. However, the application as it stands does not replicate these discussions. Therefore, without any changes to the parameters regarding construction depth it seems reasonable to request that the applicant provide an insurance policy to provide protection to the public funds should works be necessary in order to facilitate highway improvement.

The A3 and the B2150 are both classified roads which take a considerable amount of traffic and play any important role within the network, including a diversion route for the A3(M). It is therefore not unreasonable to assume that alterations or additional access points may be required to it at some point above those already committed and discussed. The applicant is seeking development consent to implement their project within the highway, and this should not be at the cost of the Highway Authority either now or in the future. An indemnity is therefore sought to ensure that this project will not prejudice future schemes due to costly or impossible diversion requirements that would otherwise arise.

The indicative depth is shown to be 750mm below the surface of the highway as shown in Plate 3.1 of the Environmental Statement Addendum. This is the minimum depth or requirement as set out within the National Joint Utilities Group Guidance, Volume 1, Issue 9, document. In previous discussions the Highway Authority had requested that in order to minimise the potential need for future diversion, the cables should be laid to a preferred depth of 1200mm as opposed to the minimum of the range at 750mm. This should be considered and agreed at this stage as it may affect the cable installation rates already amended at deadline 1. It is also noted that within the National Joint Utilities Group Guidance, the minimum depths are for installation under footways and that the parameters are minimum allowances. Within the carriageway it would therefore not be unreasonable to assume a greater depth for the minimum parameters should be required.

Highway Trees

Comments have been provided regarding the highway trees and the mechanism for assessment and compensation.

Article 41 (2) and 42 (2) (a) of the draft DCO states that the undertaker must pay compensation for any unnecessary damage caused. However, the term 'unnecessary' leaves this open to misinterpretation due to the subjectivity of what is and is not necessary. Removal of an important tree could be deemed necessary as its retention would incur some cost to the project. The term 'unavoidable' should be used instead.

How this compensation is to be 'paid' is not detailed here, for example that the undertaker has opted to offer new tree planting. However, new tree planting is highly unlikely to equate to the value of the established trees that could be lost. As such this would not be acceptable.

The applicant refers to the relevant tree reports and schedules used to assess tree loss within the order limits. However, although the recommendations of the British Standard have been followed, this does not address the fact that the trees in question do not belong to the undertaker, and the commitment to an acceptable level of compensation or method of calculation is being avoided by the applicant. As stated previously, HCC utilise the Capital Asset Value for Amenity Trees (CAVAT) system to provide a monetary value for a tree. This will provide a realistic analysis of what is necessary or indeed unavoidable given possible alternative solutions for installing the cable avoiding to, or removal, of HCC trees. This matter should be committed to within the DCO. Where the Onshore Outline Construction Environmental Management Plan (OOCEMP) requires Arboricultural Method Statements to be approved by the 'relevant authority', for HCC trees this must be HCC Highways Arboriculture.

Where supervision is required by a 'suitably trained and experienced arboriculture professional', for HCC trees this must be one of HCC arboriculture team.

Decommissioning

It is noted that the decommissioning phase is not subject to approval within this consent and will be subject to further consents in the future as appropriate.

Link Boxes and Joint Bays

The Highway Authority are still concerned regarding the locations of link boxes and joint bays, especially given the size of the construction areas required for the joint bays and the overall size of the bays themselves.

The response received from the applicant at deadline 2 has provided no further clarity on this matter. It is unclear what level of approval the Highway Authority will have over the locations of these elements of the infrastructure. The Highway Authority would wish to reserve the ability to refuse permission for any locations within the highway when the detailed proposals are put forward by the applicant if, for example, it would preclude future highway

works or raise a highway safety concern (such as obstruction of visibility splays by link boxes). In the absence of this provision, the detail of the link boxes and joint bays should be provided at this stage of the consent process so the impacts of the scheme can be assessed in appropriate detail.

The joint bays may require an Approval in Principle (AIP) and it is noted that the applicant is looking to secure this approval process within the protective provisions. The Highway Authority are considering this in more detail and shall discuss further with the applicant.

Works Coordination

The Highway Authority note the applicant's commitment to engaging with the Highway Authority and other interested parties regarding delivery of committed schemes and appropriate coordination of works. The proposed disapplication of the permit scheme however contradicts this commitment and makes management of impacts and the coordination of works less transparent and more onerous.

The Highway Authority notes the applicant's comments regarding the Havant Thicket project and the need for management of HGV movements. It can confirm that through its advice provided to applicants as Highway Authority for all new applications it is making suitable representation regarding the status of the Aquind project and the need for works coordination to ensure timely delivery should the projects be approved.

Transforming Cities Fund

The applicant references Portsmouth City Council's representations, drawing attention to the Transforming Cities Fund (TCF) scheme and the need to discuss these further with PCC. Hampshire County Council, as Highway Authority for those areas immediately adjoining the City of Portsmouth, wish to be party to these discussions, particularly in relation to the works on the A3 which are to be funded through the TCF. It is understood that none of the PCC schemes subject of the TCF are within the cable corridor, however those on the Hampshire County Council network are directly within the corridor and could cause works conflicts.

Comments on Aquind Response to ExA Questions

Matters previously raised by the Highway Authority within the ExA questions were primarily responded to by the applicant through the response to Hampshire County Council's LIR and have therefore been addressed under the appropriate sections.

Comments on the Draft Development Consent Order

The applicant has submitted a revised dDCO along with supporting documentation and responses back to Hampshire County Council's LIR. The Highway Authority wish to meet with the applicant to ensure matters relating to the drafting can be discussed and addressed in an agreed manner and shall make contact with the project team to arrange an initial meeting on matters relating to the drafting. It has been requested by the applicant that the Highway Authority provide its initial comments on the protective provisions at deadline 3 in order to aid discussions regarding the permit scheme and therefore these have been provided within this response.

Comments on the Construction Environmental Management Plan

Matters relating to highways and construction traffic management are covered within the Updated Framework Traffic Management Strategy, the Framework Construction Traffic Management Plan and the Supplementary Transport Assessment. The following comments are made in reference to these documents.

Environmental Statement – Appendix 22.1A Framework Traffic Management Strategy

This document has been updated with regards the installation rate assumptions, access to properties and the proposed communication strategy. These matters are also referred to within the Framework Construction Traffic Management Plan.

Onshore Cable Installation Rates

It is noted that this document sets out the anticipated delivery timescales along the cable laying corridor. It is also noted that delivery rates have been amended in the deadline 1 submission to be 12 metres per a day in heavily congested (with regards service provision) areas of the highway and up to 24 metres per day on highways with light service congestion. It has been summarised by the applicant that this does not affect the assumptions for the delivery rates of the project, with an average of 18-30 metres per a day assumed in urban areas and 50 metres per a day in rural areas.

A significant amount of the Hampshire network would appear to be within the 12 metres a day bracket. It is therefore requested that the length of construction, and associated change in the construction period, is set out more clearly in a table so each section can be seen and the full period of

construction can be understood across the onshore corridor. More detailed comments on the proposed traffic management can be found within the Highway Authority's comments on the Framework Traffic Management Strategy.

Access to Properties

Within Appendix 1 of the document, the strategy and impact on access to residential and business parking has been assessed. Additional information is pending regarding additional survey information which needs to be available before the Highway Authority can comment fully on the impact on the Hampshire area.

The document also sets out the strategy for enabling access to private driveways and residential properties during the works. Whilst it acknowledges the needs of the vulnerable, it does not consider the needs of all residents. As part of the phase specific traffic management plans, engagement should be had with the effected residents to ensure appropriate measures are put in place for all those that require parking and cannot find alternative parking arrangements. Where necessary, Aquind should work with local authorities to ensure suitable provision.

Further comments on this matter have been provided within the Highway Authority's review of the Framework Construction Traffic Management Plan.

Comments on the Updated Framework Traffic Management Strategy

The proposals for traffic management arrangements and parameters are set out within this document. The Highway Authority comments on these proposals are set out below. Generally, there is concern regarding the robustness of these assessments given the limited engagements with the Highway Authorities NRSWA coordinators so far, the lack of certainty that can be applied given the level of unknowns regarding the exact cable locations and therefore the overall traffic management requirements. More detailed comments are set out below.

General Principles

The use of Temporary Traffic Lights (TTL's) are likely to cause significant disruption including additional carbon emissions from idling traffic. These problems will be exacerbated at traffic sensitive times (usually 06:30-09:30 and 16:00-18:30 weekdays). Accordingly, additional restrictions may be imposed during these periods. The Highway Authority's preference when it comes to managing road works is that TTL's are lifted during these traffic sensitive periods. Other requirements, such as manual management, may be required to ensure the free flow of traffic, prevent traffic queueing across junctions or take account of tidal traffic movements. TTL's should be removed when not in use.

The A3 is a strategic route with high volumes of traffic forming a key link between Waterlooville and Portsmouth and also between London / Guildford and Portsmouth. The route also forms the tactical diversion route for any incident that closes the A3M. Accordingly, any disruption on this route will impact the local and regional economy. Traffic congestion must be kept to a minimum and the free flow of traffic must be maintained wherever possible. Any planned works must be undertaken with expediency and removed as soon as possible. When working on this route, the Highway Authority normally restricts works to nights or outside of traffic sensitive times (06:30-09:30 and 16:00-18:30 weekdays). If traffic management measures have to remain during these times, then the Highway Authority would also require works to be undertaken during extended hours and on weekends to ensure they are completed quickly. Leaving traffic management in place on weekends with no works being undertaken will cause avoidable traffic congestion. Any works on this route will also need to have a plan in place in case of an incident on the A3(M). Wherever possible, works should be removed or made as safe as possible to cater for additional traffic flow.

In section 2.5.3.4, the Framework Traffic Management Strategy states that the exact type of traffic management cannot be determined until a contractor is appointed. Traffic management will also likely change as site specific circumstances change. The permit scheme, if used, is agile enough to manage this on a day by day basis, whereas a general approval process current proposed by the applicant cannot take account of localised situations. Any system used to approve road space, and traffic management, needs to take account of additional restrictions leading up to, and during the works. Not being able to specify exact traffic management makes it difficult for the Highway Authority to apply detailed comments to each works section described in the document. However, a number of comments are offered based on the information that the applicant has provided.

Section 1: Lovedean Converter Station

There are no concerns here regarding traffic delay. However, the closure of Broadway Lane however may result in edge damage / carriageway damage to the diversion route as a result of additional vehicles being displaced. The Highway Authority would expect Aquind to cover the costs of any remedial works to the diversion route which would be identified through review of the detailed traffic management plans.

Section 3: Denmead. Kings Pond Meadow

There are no concerns here regarding traffic delay. However, the closure of Anmore Road however may result in edge damage / carriageway damage to the diversion route as a result of additional vehicles being displaced. The Highway Authority would expect Aquind to cover the costs of any remedial works to the diversion route which would be identified through review of the detailed traffic management plans.

Use of Temporary Traffic Signals along the B2150 is expected to cause significant disruption at traffic sensitive times (06:30-09:30 and 16:00-18:30). It would also be likely to cause disruption to local events, such as the Overlord Show (usually taking place in June / July) which is popular and generates significant traffic. The B2150 is a key east / west link and is an important route to Waterlooville and its retail areas. Works on this route must be restricted to avoid December to reflect the potential significant harm that could otherwise arise due to typical traffic flows on this route at this time of year.

Section 4: Hambledon Road to Farlington Avenue

Subsection 4.1: B2150 Hambledon Road between Soake Road and Milton Road

The use of Southdown View, Hambledon Parade to construct part of the works would be likely to reduce disruption to the classified road network and from a traffic management perspective this would be preferred. However, when working in this area Aquind would need to work closely with local businesses and residents to minimise disruption.

As mentioned above the use of Temporary Traffic Signals along the B2150 will cause significant disruption at traffic sensitive times (06:30-09:30 and 16:00-18:30). It would also cause disruption to local events, such as the Overlord show previously referenced. Works on this route must be restricted to avoid December for the reasons as set out above.

Significant delays on the B2150 may force traffic into using side roads in the area, increasing residential disruption in those roads. The Highway Authority would expect Aquind to react to this and be prepared to set out additional traffic management measures to dissuade 'rat running'.

Subsection 4.2: B2150 Hambledon Road and A3 Maurepas Way between Milton Road and A3 London Road

The use of Temporary Traffic Signals along the B2150 / A3 is likely to cause significant disruption at traffic sensitive times (06:30-09:30 and 16:00-18:30). It would also cause disruption to local events, such as the Overlord show. The B2150 is a key East / West link and is an important route to Waterlooville and the retail areas. As noted above, the A3 is a strategic local and regional route to and from Portsmouth. Works on this route must be restricted to the school holidays only and must also avoid December owing to the links with shopping areas. Traffic lights at the Forest End roundabout are likely to cause significant tailbacks and will require monitoring with manual management and potential mitigation during construction.

Subsection 4.31 to 4.33 London Road between Forest End Roundabout and South of the Junction with Forest Road; A3 London Road between south of junction with Forest End and southern end of bus lanes (in proximity to Poppy Fields); A3 London Road between south of Southern end of Bus Lanes (in proximity to Poppy Fields) and Post Office Road

The use of Temporary Traffic Signals along the A3 will cause significant disruption at traffic sensitive times (06:30-09:30 and 16:00-18:30). As noted above, the A3 is a strategic local and regional route to and from Portsmouth. Works on this route must be restricted to the school holidays only and must also avoid December owing to the links with shopping areas. Traffic lights are likely to cause significant tailbacks and will require monitoring with manual management and potential mitigation during construction.

Subsection 4.34: A3 London Road between Post Office Road and Rocking Horse Nursery

As noted above, the A3 is a strategic local and regional route to and from Portsmouth. Works on this route must be restricted to the school holidays only and must also avoid December owing to the links with shopping areas. Under NO circumstances should the A3 be closed during the day except in the case of an emergency or where the local Environmental Health officers consider night closures to be unacceptable.

The diversion route proposed is acceptable. However, additional closures or restrictions on side roads are likely to be needed to prevent additional disruption to residents from traffic finding other routes. Aquind should also liaise with Highways England to ensure that heavy traffic remains on the A27 and makes use of the A3(M) rather than the local diversion route.

Subsection 4.35, 4.41, 4.42 and 4.43 A3 London Road between Rocking Horse Nursery and Ladybridge Roundabout; A3 London Road between Ladybridge Roundabout and the start of the bus lane; A3 London Road between the start of the bus lane and Lansdowne Avenue; A3 London Road between Lansdowne Avenue and Bus Lane (South of The Brow).

Use of Temporary Traffic Signals along the A3 will cause significant disruption at traffic sensitive times (06:30-09:30 and 16:00-18:30). As noted above, the A3 is a strategic local and regional route to and from Portsmouth. Works on this route must be restricted to the school holidays only and must also avoid December owing to the links with shopping areas. Traffic lights are likely to cause significant tailbacks and will require additional restrictions such as monitoring with manual management and potential mitigation during construction.

Comments on the Framework Construction Traffic Management Plan

An updated Framework Construction Traffic Management Plan has been provided along with information within the Supplementary Transport Assessment to address the previous concerns and questions set out within Hampshire County Council's LIR. These included:

- HGV / Construction Traffic Routing and Timing
- Joint Bays and Temporary Laydown Areas
- Construction Operation
- Construction Accesses
- Sensitive Receptors

- Construction Worker Movements
- Highway Condition
- Abnormal Loads

HGV / Construction Traffic Routing

It is understood that a haul road will be constructed between the converter station and Anmore Lane to reduce HGV and construction traffic on the network. However, no details of the access onto Anmore Lane have been provided in terms of design, geometry or visibility splays which would be required at this stage to determine if the principle of the haul road can be safely implemented. Paragraph 3.4.3.2 states that Soake Road will not be used for construction traffic and this should be enforced. However, it is not clear as to the purpose of the Anmore Lane access if traffic is prohibited from traveling along Anmore Lane and Soake Road. Clarity is sought on this matter.

The construction traffic route has been diverted away from Milton Road due to its residential nature. All construction traffic will now be required to continue along Lovedean Lane and travel north/south via London Road, which is deemed to be a more acceptable route. The modelled percentage impact on London Road is considered to be within acceptable limits. It is noted that two-way HGV movements are not able to take place on Day Lane and a system is suggested requiring HGV's leaving the converter station to wait within the compound until clearance is given. Detailed comments have been provided on this matter further within this response.

Construction Traffic Timing

Confirmation has been given by the applicant that no HGV movements will be carried out during peak hours. A traffic count was obtained to determine the peak hours in the area were 08:00-09:00 and 17:00-18:00, which is accepted. It is noted that some movements may occur outside of normal working hours when 24-hour construction is approved, and this will be addressed on a case-by-case basis as necessary. The restrictions on HGV movements outside the peak periods will need to be secured through the DCO.

Confirmation has been given regarding the definition of an emergency for the HDD operation which would constitute HGV movements during peak hours. The requirement to transport water via a tanker to the site to prevent a collapse of the horizontal drilling works is considered a viable emergency and is therefore acceptable.

Joint Bays and Temporary Laydown Areas

Section 2.5.1.2 now states that the temporary laydown areas which may be created at Joint Bay locations to store materials are not to be confirmed until the detail stage. Previous comments have been made in relation to the

requirement for the Joint Bay locations to be known at this stage and to be located outside of the highway carriageway. As such the temporary laydown areas will also need to be determined at this stage due to the locations indicated as being synonymous.

Notwithstanding this, it is noted in Plate 1 that a typical laydown area is in the region of 14m by 13m, which is not unsubstantial. Due to the size of these areas there are limited opportunities to locate these along the cable route without considerable impact on the highway. As such indicative locations should be shown and agreed at this stage.

Construction Operation

Confirmation has been given regarding the justification why smaller plant is not used as standard in order to reduce the working area within the highway. As smaller plant would increase the working time within the highway, thus the benefit from a reduced working area is offset by the increased time construction is impacting on the network.

Working areas are also to include welfare facilities to reduce the need for trips to the converter station. Wheel washing facilities will also be made available to mitigate dust and mud migrating onto the highway. The details for each working area will need to be agreed but the principles behind balancing working areas and delay from construction periods is agreed.

Construction Accesses

The applicant will require construction accesses along the cable route but is only able to provide indicative locations at this stage. These precise locations within the indicative parameters show can be provided during the detail design stage but will require approval from the Highway Authority prior to implementation. A standard detail for construction access is proposed but has yet to be submitted for review. These accesses are usually required to be delivered under a Section 171 licence agreement with the Highway Authority. It is noted that these may be able to be delivered under the powers granted by the DCO, however details of this are still under discussion.

The access to the converter station has been designed to encourage right-in, left-out movements to deter construction traffic from travelling south down Broadway Lane, but this should also be enforced via a TRO. Further comments regarding this are made within the Highway Authority's review of the Supplementary Transport Assessment.

Sensitive Receptors

The applicant has agreed to include Queen Alexandra Hospital, Waterlooville Fire Station and Waterlooville Police Station to their list of sensitive receptors. Consultation has been undertaken with the emergency services regarding the

impact of the works on their operations and response times, and no objection has been noted.

Detail regarding proposed access to retail areas and residential access has not been provided. The applicant sets out measures for securing access for vulnerable people at all times, along with pedestrian and cycling access to properties. Plates are suggested to be installed outside of construction hours (which are noted as being 07:00-19:00), however this does not address how access will be maintained and controlled during construction hours.

Suggestion is made by the applicant that residents with driveways will make use of other parking facilities during construction. No distances have been shown to the proposed parking facilities and it is not considered appropriate for residents to park any significant distance from their property. The suggestion in paragraph 5.4.2.2 that if parking facilities are fully occupied then residents will have to park further away is not a suitable strategy.

In line with the above, a communication plan was suggested by the applicant, and the Highway Authority requested more details regarding the content and management of the website, as well as the details of a dedicated communication liaison officer. This has not been provided.

Construction Worker Movements

Construction workers are proposed to convene at the converter station at the start of each shift and will be transported to each location via minibus (or similar). Each work location is proposed to have a restricted level of available parking to further encourage use of the minibuses at the converter station. It is understood that some workers will be required to drive separately to sites due to their specific job role. This approach to managing construction worker movements is considered to be acceptable in principle.

The provision of a shuttle bus between Havant rail station and Waterlooville town centre is seen as a suitable measure to promote the use of sustainable transport. It is requested that the provision of this service, including timings and frequency, is regularly reviewed during the construction programme in line with the Framework Travel Plan to ensure its level of service remains appropriate.

The quantum of minibuses provided to commute workers from the converter station to each of the locations should be adequate enough to encourage their use. Should the service not prove adequate for the quantum of construction workers, this may result in workers seeing the private car as a more attractive option. Whilst the principle is acceptable for this stage of planning, this should be routinely monitored, and further details provided once a detailed construction programme is known.

These mitigation measures will need to be secured through an approved framework travel plan, preferably within a S106 agreement.

Highway Condition

The applicant states that pre-condition surveys of diversion routes are not required due to the temporary nature of the works. However, as the works will be taking place over a number of years the impact on the diversion route is not considered to be temporary. The diversion routes were not originally designed to accommodate the levels of traffic from the cable route, and therefore there will be a greater maintenance liability on the Highway Authority, which should be recompensed by the applicant. As such, pre-condition surveys will be required in order to ensure the network is not negatively impacted following construction completion.

It is understood that pre-condition surveys of the construction traffic route from the A3(M) to the Lovedean site have been accepted by the applicant and will be secured through the DCO within the Framework Construction Traffic Management Plan. It is noted that photographic surveys will be undertaken prior to works commencing and on completion with weekly condition surveys being undertaken to identify any emerging defects. What is not clearly committed to is how any defects will be repaired and in what timeframe. Any defects emerging should be repaired with the cost borne by the applicant and on request of the Highway Authority. Again, there is no confirmation on the process for agreeing remedial measure on completion of the works and for these to be funded/completed by the applicant.

Abnormal Loads

Whilst amendments have been made to the Abnormal Loads strategy, it is noted that the applicant is preparing an additional Technical Note to address previous concerns raised by the Highway Authority. As such additional comments are not made at this time.

Comments on the Access and Rights of Way Plan and Explanatory Document

This document has been discussed with the applicant and the Transport Consultant. Representation has also been made within the Highway Authority's response to deadline 2. The plan shows broad locations for access locations along the route. The permanent access arrangement and site construction access arrangements at Broadway Lane have been provided in detail within the Transport Assessment documents. There is a lack of information however on the design proposals for the construction access points along the corridor. The Highway Authority are requesting details including but not limited to:

- Construction details for the access proposals
- Tracking
- Visibility Splays
- Gate set back details

It has been discussed with the applicant that primarily these matters could be addressed through a standard detail. However, the accesses are in varying locations with differing speed limits and therefore differing visibility requirements. The Highway Authority will need to confirm that the required visibility splays can be achieved within the parameters for the proposed access locations at each location. These construction access points are proposed onto primarily a classified road network and therefore would ordinarily be subject to a requirement for planning permission. Sufficient details therefore need to be available prior to this application for the DCO being determined in order to provide the Highway Authority with the confidence that the proposed locations will be acceptable and therefore not impact on the deliverability of the scheme.

Hampshire County Council Response to the AQUIND Supplementary Transport Assessment

The Supplementary Transport Assessment (STA) has been submitted to address some of the outstanding highway matters raised in Hampshire County Council's LIR response. These matters related to the following:

- Construction Programme Updates.
- Details of the site access arrangements.
- Updated personal injury accident data.
- Traffic management of movements on Day Lane.
- Updated traffic assessments; and
- Bus journey time assessment.

Construction Traffic Main Site Access

Within the Local Impact Report, the Highway Authority requested further information to confirm the suitability of the site access junction to the converter station. The outstanding information that was requested was as follows:

- Swept path analysis for vehicles accessing the converter station.
- Confirmation that the land to construct the haul road is within the Applicant's land ownership.
- Speed checks undertaken on Broadway Lane to inform the southbound visibility splay requirement.
- Removal of the hedgerow restricting the northbound visibility splay.
- Physical restrictions to ensure the haul road is used by large vehicles only.
- Implementation of 'no right turn' signage to restrict construction traffic heading southbound along Broadway Lane.
- Confirmation as to whether the haul road will be metalled.

- A Stage 1 Road Safety Audit to be undertaken for the new junction.

Within section 3.3.2 of the Supplementary Transport Assessment (STA), the applicant has provided further details in seeking to address the comments above.

Swept Path Analysis – Site Access

To demonstrate that access to the site is achievable for HGVs, the applicant has provided drawing number AQD-WSP-UK-OS-DR-Z-200224 Rev 01. The plan tracks two HGVs passing side by side through the access, and also the new haul road.

The tracking drawing demonstrates that two HGVs will have sufficient space to pass through both the access and the haul road. This matter is considered acceptable.

Land Ownership of the Haul Road

The applicant has not confirmed within the STA that they own the land required to construct the haul road. Confirmation is required on this point.

Southbound Visibility Splay

To confirm the visibility splay requirements at the new junction, additional speed surveys were undertaken on 25th June 2020 in closer proximity to the access than those presented within the original Transport Assessment (TA). The 85th percentile speeds for vehicles along Broadway Lane were recorded as 29mph both northbound and southbound, requiring visibility splays to 41m. The southbound visibility splay originally presented in the access plans were shown to 45m, 4m greater than those required by the speed surveys. In addition, the maximum southbound visibility splay has been shown to 58m when vehicles are not parked outside of Broadway Cottages.

It has therefore been demonstrated that from a highway safety perspective sufficient visibility can be provided from the new access. The impact of the vegetation loss however should be assessed to be acceptable within the wider remit of the application.

Hedgerow Removal to Achieve Northbound Visibility Splay

This matter has not been addressed within the STA. The applicant should confirm that the full extent of the hedgerow will be removed and suitably replaced and that all matters relating to landscape or ecology as considered and identified by the local planning authority have been suitably addressed. Should this not be achievable, the applicant is expected to make a CAVAT payment commensurate with the loss of the highway asset.

Amendments to Prevent Access for Northbound Traffic

Within the LIR response, the applicant was asked to investigate alterations to the junction which would prevent construction traffic from accessing the site to the south along Broadway Lane.

To address this point, the applicant has included 'no right turn' signage on the Converter Station access road to prevent traffic from heading southbound out of the site access. The permanent signage will need to be placed on the highway in a distinguishable location. The Highway Authority would welcome further discussion with the applicant to agree a position for the signage.

The radii of the access road have also been reduced from 10m to 1m to discourage vehicles coming from Broadway Lane to travel into the site. This arrangement is shown within drawing number AQD-WSP-UK-OS-DR-Z-200215 Rev 04 and is considered acceptable.

Haul Road Surfacing

The applicant has not confirmed the surfacing arrangement for the haul road. As requested in the LIR, the applicant should confirm that the haul road will be metalled to prevent migratory material being dragged onto the highway. The gate on the eastern side of the access road appears to be sufficiently set back to prevent the gates from opening onto the highway. The gate on the western side of the haul road is located closer to Broadway Lane and no confirmation has been provided as to which direction the gate will open. The applicant should confirm that the gate will open internally rather than onto the public highway.

Stage 1 Road Safety Audit

It is understood that the applicant will be undertaking a Stage 1 Road Safety Audit following initial feedback from the Highway Authority on the site access information included within the STA.

Internal Layout

Tracking for the internal site layout has not been provided by the applicant who states that this is beyond the jurisdiction of Highway Authority. However, tracking has been provided to demonstrate that two HGVs have sufficient space to pass in the mouth of the new junction which is considered acceptable.

The applicant has not provided a parking plan to demonstrate that the maximum number of construction workers at any given point can be accommodated on-site before travelling to the area they will be working. This information should be provided to prevent any overspill parking occurring on the highway.

Managing Construction Traffic Movements on Day Lane

To prevent the conflict caused by two HGVs passing on Day Lane, the applicant has presented a traffic management strategy within the STA which aims to manage traffic movements along Day Lane during the construction period.

These management strategies are presented within Section 3.4 of the STA. To co-ordinate the eastbound and westbound movements of HGVs, the

applicant is proposing to utilise banksmen at 4 different locations along Day Lane. A banksmen will be positioned either side of the new haul road and the remaining banksmen located at the access to the existing solar farm and at the junction with Day Lane/Lovedean Lane. The STA proposes that the banksmen will communicate to prevent HGVs travelling in conflicting directions from meeting and being unable to pass on Day Lane.

To supplement this, traffic management is also proposed for HGVs and cars travelling along the eastern section of Day Lane in the form of STOP/GO boards. Two banksmen are proposed to simulate a shuttle working system which will prevent a car and HGV from meeting along the sections of Day Lane considered to be too narrow for these vehicles to pass concurrently.

Having reviewed these traffic management proposals, the Highway Authority have significant concerns with the safety implications of these proposals and also the lack of waiting facilities on the eastern side of Day Lane by the junction with Lovedean Lane which will result in HGV's needing to wait on the public highway.

The applicant states that an informal give way arrangement will take place on the western side of Day Lane owing to the forward visibility available. The achievable forward visibility has not been presented and should be provided. Drawing number AQD-WSP-UK-OS-DR-Z-200224 Rev 01 demonstrates that there is conflict between a HGV and family car passing across the whole stretch of Day Lane shown within the first inset. There are no passing locations available on Day Lane and ditches are present on either side of the road, meaning that there are no places a car could pull over to let a HGV pass. At present, the only available passing place is located next to banksmen 2 at the entrance to the solar farm, which would require a car to reverse back down a substantial length of Day Lane which is wholly unacceptable. This issue is further exacerbated by the 5-6 HGV movements an hour which means that matter would not be a one-off issue. There are also no controls on how these HGV movements would be spaced over the hour.

It is also noted that westbound HGVs will be held by banksmen 1 near to the Bird in the Hand pub. No details have been provided as to where the banksmen will be positioned to ensure that there is suitable time to stop a HGV turning into the junction from travelling along Day Lane. Nor has any consideration been given to vehicles queuing at banksmen 1's location blocking back onto the highway at Lovedean Lane.

Whilst priority will be given to westbound traffic i.e. HGVs will travel first in the event that another HGV is waiting to travel eastbound from the haul road, there will still be instances where a HGV has already commenced its journey, resulting in a queue of traffic waiting within the junction. Without a formal waiting area, vehicles will be expected to wait in the middle of the junction,

forming a queue and creating a potential safety hazard if cars turning into the junction fail to anticipate the stationary traffic.

The Highway Authority would welcome further discussions with the applicant to investigate opportunities to provide dedicated passing areas on Day Lane, a dedicated waiting area at Lovedean Lane and discuss the overall management of construction traffic on Day Lane.

Traffic Assessments

Within the original TA, junction capacity assessments were missing for the B2150 Hambledon Road/Aston Road signal junction and the Dell Piece East/A3 Portsmouth Road/Catherington Lane signal junction. These junctions have now been assessed by creating LinSig models and running them through the Sub Regional Transport Model (SRTM) with the same scenarios assessed for the other junctions along the route ('Do Minimum' (DM), 'Do Something 1' (DS1) and 'Do Something 2'(DS2)) for the period through to 2026.

B2150 Hambledon Road/Aston Road Signal Junction

Alongside the DM, DS1 and DS2 scenarios, an additional scenario test has been run to sensitivity test against the traffic surveys carried out in 2019. It is understood that the purpose of this sensitivity test is to factor in the fixed demand to Wellington Retail Park which cannot redistribute and gain access via an alternative route. However, in the DS scenarios, traffic is assumed to redistribute from the access to gain access to Waterlooville Town Centre. During the DM run of the SRTM, the highest observed Degree of Saturation (DoS) observed at the junction occurs on the Hambledon Road North arm at 89% in the PM peak hour. When compared against the DS1 and DS2 scenarios, the highest DoS value decreases to 79% on the Aston Road approach as a result of traffic redistributing away from the proposed traffic management measures.

The sensitivity test indicates a maximum DoS of 77% on the Hambledon Road North arm in the PM peak which remains within operational capacity. As referenced in Hampshire County Council's LIR, all junctions should be monitored during the construction period and appropriate mitigation put in place if there are severe capacity issues at certain locations.

Dell Piece East/A3 Portsmouth Road/Catherington Lane Signal Junction

The 2026 DM scenario presented for the Dell Piece East signalised junction identifies that a number of approaches will be over capacity in the AM and PM peak period. The B2149 Dell Piece West Ahead + Right Turn will be the most congested approach in the AM peak hour with a DoS of 104% and average delay of 170 seconds. In the PM peak hour, the B2149 Dell Piece West Left Turn and Catherington Lane Left + Ahead + Right turn both have DoS of 103% with 133 and 132 seconds delay respectively.

When compared against the DS1 scenario, the DoS value for the B2149 Dell Piece West Ahead + Right Turn decreases to 102% and a 155 seconds delay in the AM peak hour. However, the A3 Portsmouth Road South Ahead + Left Turn and Catherington Lane Left + Ahead + Right Turn all experience an increase in DoS and delay during the AM peak. Furthermore, the B2149 Dell Piece West Left Turn and Catherington Lane Left + Ahead + Right Turn DoS values increase to 107% and 108%, resulting in delays of 181 seconds and 196 seconds respectively.

This scenario is reciprocated within DS2 where similar DoS are observed across the approaches noted above. This junction will need to be monitored carefully during construction and mitigation put in place if the performance of the junction worsens during the construction period. This is a position previously discussed and agreed with the applicant as part of the ongoing traffic management strategy along the A3 and the wider network. The Protective Provisions offered in lieu of ongoing monitoring is very specific and does not account for severe congestion as a result of the traffic management measures. The Highway Authority would welcome further discussions with the applicant on this point.

Junction Capacity Assessments – PM Peak Construction Worker Trips

As a result of amendments to the construction worker traffic movements, additional junction capacity assessments have been undertaken in the PM peak at the following junctions:

- Lovedean Lane/ A3 London Road / Prochurch Road staggered priority junction;
- Dell Piece West/ A3 Portsmouth Road/ Catherington Lane signals; and
- A3(M) Junction 2.

The results of these capacity assessments are summarised below.

The Lovedean Lane staggered priority junction indicates the biggest increase in Ratio to Flow Capacity (RFC) of 0.16 to 0.30 on the Lovedean Lane (right turn) approach. The junction will therefore continue to operate within capacity. The Dell Piece West signal junction will continue to operate over capacity, as detailed above, but without significant addition delays to those already forecast within the SRTM.

The A3(M) J2 roundabout will experience an increase on the A3(M) South approach in RFC from 0.89 in the DM PM peak to 0.98 within both the DS1 and DS2 scenarios. The approach will therefore be close to operating over capacity on this approach. It is understood that discussions are being held with Highways England to understand the implications of the additional queueing on the Strategic Road Network. The Highway Authority would welcome an update on this matter when available.

Junction and Shuttle Working Sensitivity Testing

Further sensitivity testing has been undertaken in Section 5.5. of the STA which assumes less traffic redistributes away from junctions where shuttle

working traffic signals will be present. It is noted that all of the junctions within the network administered by Hampshire County Council as Highway Authority will be operating with at least one approach over 100% DoS, meaning that an approach to each junction will be over capacity.

Based on the results of the sensitivity test, Ladybridge Roundabout will be the most severely impacted, with the A3 London Road South approach experiencing a DoS of 117.5% in the PM peak hour, resulting in a queue of 100 PCUs and average delay of 357 seconds per vehicle.

The Highway Authority are currently reviewing all of the sensitivity tests undertaken in Section 5.5. of the STA and will liaise with the applicant to discuss the results in due course.

Bus Journey Time Assessments

It is acknowledged that a separate assessment document relating to bus journey times and the impacts of the works on the bus service operation has been undertaken. The Highway Authority are reviewing this information and consulting with the bus operators to provide an overarching response on these matters under its statutory function to ensure suitable bus provision. The Highway Authority cannot agree, at this time, that no mitigation measures will be necessary to ensure access to bus services and journey time reliability is not significantly affected by the works.

Highway Summary

It is believed that comments on all technical documents relating to highway matters have been provided within this response. If any technical highway documents have been overlooked, it is requested that the applicant brings this to the Highway Authority's attention.

There are a number of significant technical matters which remain outstanding in relation to the highway elements. It remains the Highway Authority's position that if left unmitigated the impact of the works will have a significant impact on the operation of the highway during the construction period which will result in additional delay and congestion on the classified road network within the area and the knock on associated impacts of this.

It is also considered that there remain unmanaged risks within the application which will, if not suitably addressed, place a financial burden on the Highway Authority through both additional officer time on network management and approvals as well as maintenance liabilities. The Highway Authority are therefore wishing to engage directly with the applicant's transport team to discuss further the implications of the development and whether appropriate mitigation measures can be agreed and appropriately secured to manage these issues and risks.

Annex 1 – Detailed Comments of Highway Authority on the Draft Protective Provisions for the Highway (relating to highway management only)

- Sections 1, 2 and 3 set out the information to be supplied to the Highway Authority. This broadly replicates the information required under the permitting and noticing regimes. However, as mentioned above, it would be a resource intensive and bespoke process for the Highway Authority to review and consider its response to the information supplied.
- Section 4 requires Aquind to send the Highway Authority the information 3 months before works start. The section also describes processes for the Highway Authority to require more information. If it fails to respond within set timescales, then the approval is deemed. This replicates the permit scheme processes. The Highway Authority's concerns in this section would relate to the liability issues for 'approving' the works and the fact that they would be approving everything in one go. This section would need to be amended to clarify the liability issue and ensure that Aquind are liable for their works.
- Section 4(2) This sets out the requirements to vary the traffic management strategies. The only concern that the Highway Authority have with this would be relating to the 'approval' of the strategy. It is critical that Aquind remain liable for their traffic management.
- Section 5 replicates the existing permit scheme process for a 10 day notice period. There are therefore no technical comments on this section.
- Section 6 relates to inspections and poor workmanship. It is understood from the drafting that the Highway Authority will need to secure the consent of Aquind before undertaking site inspections. Aquind will pay for any testing. The Highway Authority can reject materials or workmanship and Aquind must correct it. However, there is no mention of any specifications used to measure compliance. There is also no mention of the recovery of the costs for inspections. Under the existing New Roads and Street Works Act 1981 (NRSWA) processes the Highway Authority can recover its inspection costs and can also undertake random inspections to determine compliance and quality.
- Section 7 relates to Aquind not placing obstructions or mud on the highway and the Highway Authority directing them to put in place measures to prevent such. There is no objection to this section.
- Section 8 relates to Aquind not placing scaffolding on the highway without Highway Authority consent. There is no objection to this section.
- Section 9 relates to Aquind not being able to alter the highway without the Highway Authority's consent. If they do, they have to fix it to the Highway Authority's requirements. The Highway Authority would like it clarified if this is proposed to replicate Section 82 of NRSWA whereby an undertaker has to compensate the Authority if they damage the highway during their works.

- Section 10. This broadly tries to replicate the conditions in permits but is considered to fall significantly short. The Highway Authority can only direct changes to the applicant's works programme or traffic management arrangements where it considers that the works will cause significant traffic congestion that is likely to result in a dangerous situation. Congestion that causes a danger is extremely subjective and difficult to prove. It also invalidates the Network Management Duty which is there to minimise traffic disruption whether or not there is a danger. The Highway Authority considers that restrictions on its ability to set conditions, or require changes to works programmes, as it would be significantly detrimental in enabling it to fulfil its wider legal duty.
- Section 11. States that Aquind cannot compulsorily acquire highway land. This matter is under further detailed discussion.
- Section 12. Refers to making good defects and sending the Highway Authority notice of completed works. Aquind have to repair any defects alerted to them by the Highway Authority. In addition, at its own discretion, the applicant can also give the Highway Authority the money and get it to fix the defects. The Highway Authority considers it to be unacceptable for Aquind to determine if whether to fix the defects or whether to provide money in lieu. The liability for any defect lies with Aquind and the Highway Authority should only consider fixing, and recharging Aquind, if it considers this to be the most appropriate action. In the case of a defect identified that Aquind unreasonably delay any remedial works, the Highway Authority should have the power to fix it and recharge Aquind without requiring their consent. In addition, there is no provision for consideration of any specification. The section also covers Aquind sending the Highway Authority a notice confirming that they have completed agreed works within 10 days. This broadly replicates the existing requirements for a registration notice. However, it omits the requirement for a notice within 1 day of completion stating that works have been cleared.

The protective provisions, as drafted, are therefore insufficient to allow the Highway Authority to fulfil its network and management duties.

The Highway Authority is currently reviewing the site access works and the protective provisions in relation to the Section 278 requirements.

Meetings are being set up with the applicant to discuss these matters further, particularly the implications of the proposed dismissal of the s278 legal agreement requirement.